
HOUSE BILL No. 1393

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-1; IC 9-22-1; IC 9-26-1-2.

Synopsis: Storage and salvage of vehicles. Reduces the length of time a vehicle must sit without being moved before being considered abandoned from three days to 12 hours. Specifies the responsibilities of a driver involved in a nonfatal accident.

Effective: July 1, 2009.

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January 13, 2009, read first time and referred to Committee on Roads and Transportation.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1393

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-13-2-1 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2009]: Sec. 1. "Abandoned vehicle" means the
following:

- (1) A vehicle located on public property illegally.
- (2) A vehicle left on public property without being moved for
~~three (3) days:~~ **twelve (12) hours.**
- (3) A vehicle located on public property in such a manner as to
constitute a hazard or obstruction to the movement of pedestrian
or vehicular traffic on a public right-of-way.
- (4) A vehicle that has remained on private property without the
consent of the owner or person in control of that property for more
than forty-eight (48) hours.
- (5) A vehicle from which the engine, transmission, or differential
has been removed or that is otherwise partially dismantled or
inoperable and left on public property.
- (6) A vehicle that has been removed by a towing service or public
agency upon request of an officer enforcing a statute or an



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ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.

(7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days.

SECTION 2. IC 9-22-1-11, AS AMENDED BY P.L.131-2008, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's name, public agency, and address and telephone number to contact for information.

(2) That the vehicle or parts are considered abandoned.

(3) That the vehicle or parts will be removed after:

(A) ~~thirty-six (36)~~ **twelve (12)** hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle.

(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.

(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within:

(A) ~~thirty-six (36)~~ **twelve (12)** hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle.

SECTION 3. IC 9-22-1-32, AS AMENDED BY P.L.104-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 32. The following are not liable for loss or damage to a vehicle, **its contents** or parts, **or the area immediately surrounding a vehicle or its contents or parts** occurring during the removal ~~or storage or disposition~~ of a vehicle or **its contents** or parts under this chapter, **including any loss or damage that occurs as a direct result of clearing traffic lanes for public safety purposes after an accident:**

(1) A person who owns, leases, or occupies property from which ~~an abandoned~~ a vehicle or **its contents** or parts are removed.

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- (2) A public agency.
- (3) A towing service.
- (4) An automobile scrapyard.
- (5) A storage yard.
- (6) An agent of a person or entity listed in subdivisions (1) through (5).**

SECTION 4. IC 9-26-1-2, AS AMENDED BY P.L.126-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. The driver of a vehicle involved in an accident that does not result in injury or death of a person or the entrapment of a person in a vehicle **and that does not involve the transportation of hazardous materials** but that does result in damage to a vehicle that is driven or attended by a person shall do the following:

(1) Immediately stop the vehicle at the scene of the accident or as close to the accident as possible in a manner that does not obstruct traffic more than is necessary. **If the accident occurs on a federal interstate highway, or on a ramp providing access to or from a federal interstate highway, the driver shall, as soon as safely possible, move the vehicle off the highway or ramp to a location as close to the accident as possible in a manner that does not obstruct traffic more than is necessary.**

(2) Immediately return to and remain at the scene of the accident until the driver does the following **upon request**:

(A) Gives the driver's name and address and the registration number of the vehicle the driver was driving.

(B) Gives the names and addresses of the owner and any occupants of the vehicle the driver was driving, if the names or addresses are different from the name and address provided under clause (A).

(C) Provides proof of financial responsibility (as defined in IC 9-25-2-3) for the motor vehicle.

~~(B) Upon request;~~ **(D)** Exhibits the driver's license of the driver to the driver or occupant of or person attending each vehicle involved in the accident.

(3) If the accident results in total property damage to an apparent extent of at least one thousand dollars (\$1,000), forward a written report of the accident to the:

(A) state police department, if the accident occurs before January 1, 2006; or

(B) bureau, if the accident occurs after December 31, 2005; within ten (10) days after the accident.

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